

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

In Re:

**Christopher Allen Pritchard
and Amy Catherine Pritchard,
Debtors.**

**Chapter 13
Case No. 16-28641**

In Re:

**Christopher Allen Pritchard
and Amy Catherine Pritchard,
Plaintiffs.**

AP Case No.

vs.

**Wells Fargo, N.A.,
Defendant.**

**COMPLAINT TO CHANGE CREDITOR WELLS FARGO BANK, N.A.,
FROM SECURED TO UNSECURED AND REMOVE LIEN**

Now come the Plaintiffs, and would show unto this Honorable Court the following:

1. The Debtors filed a Petition under Chapter 13 of the bankruptcy code on September 21, 2016.
2. The Debtors listed the said alleged collateral as real property located at *3039 Poplar Grove Lane Germantown, TN 38139* on his Chapter 13 Petition on Schedule A.
3. Said real property is allegedly encumbered by deeds of trust held by a first mortgage whose debt of \$327,703 and held by Wells Fargo Bank, N.A. exceeds the value of the property at \$325,000 and by a second mortgage of Wells Fargo of \$76,161 as listed on Schedules A/B and D of the Petition of the Debtors.
4. Said debt for the 2nd mortgage owed to Wells Fargo Bank, N.A. should be changed

from secured to unsecured, and any lien pertaining thereto should be declared void and vacated.

WHEREFORE, PREMISES CONSIDERED, Debtors pray for the following relief:

1. That service of process be issued to the Defendant;
2. This matter be set for a hearing;
3. The Court determine the status of the lien-holder of the real property under 11 U.S.C. §506 and declare the debt and claim presently secured by a mortgage on the real property held by Wells Fargo Bank, N.A. to be unsecured;
4. An Order be issued so vacating the lien when the Chapter 13 Plan is complete; and
5. The Chapter 13 Plan be as needed and that the Chapter 13 Trustee modify the plan payment as necessary to effectuate the change of status of secured creditors.

THE COHN LAW FIRM

/s/ William A. Cohn
William A. Cohn
Attorney for the Debtors
291 Germantown Bend Cove
Cordova, TN 38018
(901) 757-5557
TN Supreme Court No. 005873
TX Supreme Court No. 04512980

CERTIFICATE OF SERVICE

I, William A. Cohn, hereby certify that a true and correct copy of the foregoing was mailed on this the 7th of November, 2016 by U.S. Mail, postage prepaid, to the following:

Ms. Sylvia Ford Brown
Chapter 13 Trustee
200 Jefferson Avenue, Suite 1113
Memphis, Tennessee 38103

Mr. James Bergstrom, Esq.
Attorney for Defendant
Wilson and Associates
5050 Poplar Avenue, Suite 1015
Memphis, TN 38157

Mr. and Mrs. Christopher A. Pritchard
3039 Poplar Grove Lane
Germantown, TN 38139

All Interested Parties.

/s/ William A. Cohn
William A. Cohn